

United States Department of Agriculture,

OFFICE OF THE SECRETARY.

NOTICE OF JUDGMENT NO. 393, FOOD AND DRUGS ACT.

MISBRANDING OF OIL OF LEMON.

On or about April 26, 1909, Clayton F. Shoemaker and Miers Busch, trading under the firm name of Shoemaker & Busch, of Philadelphia, Pa., shipped from the State of Pennsylvania to the District of Columbia a consignment of a product labeled "Oil Lemon (Oleum Limonis) Guaranteed under Food and Drugs Act June 30, 1906, No. 2156. Distributed by Shoemaker & Busch, Philadelphia, Pa. One-half Pound." Samples of this product were procured and examined by the Bureau of Chemistry, United States Department of Agriculture, and as it appeared on the aforesaid examination that the product was misbranded within the meaning of the Food and Drugs Act of June 30, 1906, the Secretary of Agriculture afforded Shoemaker & Busch, and the dealer from whom the samples were procured, opportunities for hearings. As it appeared after hearings held that the said shipment was made in violation of the act, the Secretary of Agriculture reported the facts to the Attorney-General, with a statement of the evidence upon which to base a prosecution.

In due course a criminal information was filed in the District Court of the United States for the Eastern District of Pennsylvania charging the above shipment and alleging that the product was misbranded, in that each bottle was labeled to indicate that it contained one-half pound, whereas, in fact, the weight of the contents of the said bottle was 12 per cent less than one-half pound, as stated on the label.

On March 17, 1910, the defendants entered a plea of non vult contendere and the court imposed a fine of \$25.

This notice is given pursuant to section 4 of the Food and Drugs Act of June 30, 1906.

JAMES WILSON,
Secretary of Agriculture.

WASHINGTON, D. C., *May 23, 1910.*

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